

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DWIGHT JERICE BREWER,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

Case No. 11-20537

Civil No. 14-11823

Honorable John Corbett O'Meara

ORDER DENYING MOTION TO PROCEED IN FORMA PAUPERIS

This matter came before the court on petitioner Dwight Jerice Brewer's March 3, 2015 Motion to Proceed In Forma Pauperis. The court may grant *in forma pauperis* status if the court finds that an appeal is being taken in good faith. See 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24 (a); Foster v. Ludwick, 208 F. Supp. 2d 750, 765 (E.D. Mich. 2002). "Good faith" requires a showing that the issues raised are not frivolous.

In this case the court will deny the motion. Brewer failed to file timely appeal of his conviction. Therefore, the issues raised in the motion to vacate his sentence and the subsequent motion for reconsideration, which he wishes to appeal, are deemed frivolous under § 1915(a)(3).

s/John Corbett O'Meara
United States District Judge

Date: June 2, 2015

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, June 2, 2015, using the ECF system and/or ordinary mail.

s/William Barkholz
Case Manager